

11-26-01

ALBANT

PLANT PATENT APPLICATION TRANSMITTAL  
(For new Non-provisional applications under 37 CFR 1.53(b))

11/19/01 11/19/01  
J1041 U.S. PTO  
J1002 U.S. PTO  
09/993406

Attorney Docket No.: P1688USA  
First Named Inventor: Andres Smaal  
Title: Kalanchoe Plant Named Patty  
Express Mail Label No. ET 289 782 709 US

Box PATENT APPLICATION  
Commissioner For Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is a new plant patent application of inventor(s): Andres Smaal and entitled: **Kalanchoe Plant Named Patty**. For purposes of publication, this patent application is assigned to: A.B. BREEDING BV

**Application Elements:**

1. ☐ Applicant claims small entity status. See 37 CFR 1.163(b).
2. ☒ Specification containing 8 pages (2 copies required (37 CFR §1.163(b) - in accordance with the preferred arrangement).
3. ☒ Drawings: 1 Sheet of Color Drawing(s) (2 copies required - 37 CFR §1.165(b))
4. ☒ Oath or Declaration
  - a. ☒ An executed declaration or oath for the plant patent application including a power of attorney.
  - b. ☐ An unexecuted declaration or oath for the plant patent application including a power of attorney;
  - c. ☐ Copy from a prior application (37 CFR 1.63(d), for continuation/divisional with No. 15 completed.
    - i. ☐ Signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Application Data Sheet.
6. ☒ Assignment Papers (cover sheet, document(s) and requisite fee).
7. ☐ 37 CFR 3.73(b) Statement (where there is an assignee)  
☐ Power of Attorney
8. ☐ English Translation document (if applicable)
9. ☐ Information Disclosure Statement (IDS), including PTO-1449  
☐ Copies of IDS Citations

10. ☐ Preliminary Amendment
11. ☒ Return Postcard for PTO Mail Room Date Stamp (should be specifically itemized).
12. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed).
13. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO 'SB 35 or its equivalent.
14. ☐ Other \_\_\_\_\_

NOTE: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

15. ☐ **If Continuing Application.** check appropriate box and supply the requisite information below and in a preliminary amendment:
- ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_, filed \_\_\_\_\_.
- Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

**For CONTINUATION or DIVISIONAL Applications only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4c, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

#### Fee Calculation

16. ☒ A check in the amount ☒ \$510.00 for a Large Entity, or ☐ \$255.00 for a Small Entity, to cover the filing fee, is enclosed.
17. ☐ Please charge my Deposit Account No. 07-0181 in the amount of \$\_\_\_\_\_.
18. ☒ The Commissioner is authorized to charge payment of the following amounts associated with this communication or credit any overpayment to Deposit Account No. 07-0181:
- ☒ Additional filing fees under 37 CFR 1.16 or deficiencies in remittances therefor.
- ☒ Additional processing fees under 37 CFR 1.17 or deficiencies in remittances therefor.
- ☐ **ONLY if applicant has partially paid** the patent issue fee under 37 C.F.R. §1.18, then the **deficiency** shall be charged to Deposit Account No. 07-0181, and the Commissioner is authorized to so charge the Deposit Account.
19. **Correspondence Address:** GARDNER, CARTON & DOUGLAS  
321 North Clark Street  
Suite 3400  
Chicago, Illinois 60610  
Telephone: (312) 644-3000  
Facsimile: (312) 644-3381

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

Complete if Known

Application Number \_\_\_\_\_  
Filing Date \_\_\_\_\_  
First Named Inventor: Andres Smaai  
Examiner Name \_\_\_\_\_  
Group / Art Unit \_\_\_\_\_

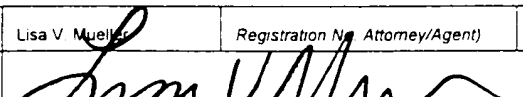
TOTAL AMOUNT OF PAYMENT (\$) 550

Attorney Docket No. P1688USA

1102 U.S. PTO  
09/993406

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METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																																																		
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to</p> <p>Deposit Account Number: 07-0181</p> <p>Deposit Account Name: GARDNER, CARTON &amp; DOUGLAS</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>					<p>3. ADDITIONAL FEES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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<p>**or number previously paid, if greater. For Reissues, see above</p>					<p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid</p> <p><b>SUBTOTAL (3)</b> <b>(\$ 40)</b></p>																																																																																																																																																																																		

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Lisa V. Mueller	Registration No. Attorney/Agent	38,978	Telephone	312-644-3000
Signature				Date	November 19, 2001

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

**EXPRESS MAILING CERTIFICATE  
UNDER 37 C.F.R. § 1.10**

ET 289 782 709 US  
"Express Mail" Mailing Number

November 19, 2001  
Date of Deposit

I hereby certify this patent application and its enclosures are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above, addressed to:

Commissioner for Patents  
Box: PATENT APPLICATIONS  
Washington, D.C. 20231


The following documents are included:

1. Plant Patent Application Transmittal Letter (3 pg.)
2. Fee sheet (in duplicate)
3. Specification in duplicate (8 pgs.)
4. Color Drawing Sheet in duplicate (1 pg.)
5. Declaration and Power of Attorney (2 pgs.)
6. Patent Recordation Form Cover Sheet (1 pg.)
7. Assignment document (2 pgs.)
8. Change of Correspondence Address (1 pg.)
9. Check No. 328803 in the amount of \$550.00 (1 pg.)
10. A return postcard

For: KALANCHOE PLANT NAMED PATTY

Our Reference No: P1688USA

Carol E. Arellano  
Typed name of person mailing this  
Certificate of Mailing

  
Signature

Customer Number (08968)  
and/or Bar Code Label:



08968

PATENT TRADEMARK OFFICE

Attorney:

Lisa V. Mueller  
Reg. No. 38,978

Date: November 19, 2001

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that this Plant Patent Application Transmittal, enclosed application, and any other documents referred to as enclosed herein, are being deposited in an envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and addressed to Box PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231.

Express Mail Label No.: ET 289 782 709 US

Date of Deposit: November 19, 2001

Typed/Printed Name of Person Signing: Carol E. Arellano

Signature:

CH02/22158085.1